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Even Crooks Have Tales to Tell

Do you remember John Dean, Jeb Magruder or Gordon Liddy? Along with some others, they are the Watergate boys who went to jail for the crime of, as they used to say, following orders from higher authority. For all of that, though, there is a good chance they will be remembered not only as criminals but as authors as well. Their books just might endure.

Each and every one of these Watergaters wrote accounts of how he landed in jail, and some of their books, while not great literature, are gripping tales. They wrote for various reasons—exoneration, an urge to explain themselves and, it has to be said, money. Man cannot live on notoriety alone.

Alas, the Senate seems to have forgotten that nothing greases the muse so much as a hefty book advance. Acting in haste, it passed a bill enabling the government to seize the assets (including book royalties) of anyone convicted under the espionage statute. The bill was introduced by Sen. Ted Stevens (R-Alaska) and sailed through the Senate with no discussion. The Justice Department recently suggested that the House follow suit.

The immediate target is John Walker Jr., who reportedly expects to earn as much as \$1 million from a book and movie deal—some of it, presumably, to go to a ghost writer. Considering that Walker has already been given \$332,000 by the Russians (money the law already entitles the government to seize), any additional remuneration for treason strikes one as wretched excess.

The issue, though, is not Walker. There are few crimes more heinous than treason and few sights more distasteful than a traitor getting rich as a result. But the government is off on a slippery slope. The grandfather of these laws is the one passed in New York State to ensure that David Berkowitz, the so-called Son of Sam Killer, did not get rich writing an account of his career as a serial killer. New York made sure that if anyone got the money, it would be Berkowitz's victims or their heirs. Congress followed suit, limiting its version to violent crimes. Now the original idea has been expanded to espionage.

But along the way, its purpose has changed. Gone is the notion that the victim ought to be the one compensated. (After all, since we are

all victims of treason, how can we be compensated?) Instead, righteous vindictiveness has been substituted—the urge to punish the spy some more. But, really, who is being punished? Walker, certainly, but also other "spies," who include in one case a wayward amateur journalist—and, just maybe—the reading public. After all, even criminals have tales to tell.

Walker aside, history shows that both criminals and "criminals" can contribute to the general knowledge. Martin Luther King Jr. wrote from the Birmingham jail; Ezra Pound wrote his "Pisan Cantos" while imprisoned; and Spiro Agnew, advance in hand, told us how he had been framed. To some, there was no worse fellow than King and, when it comes to Watergate, no worse crime than corrupting the Constitution itself.

Still, we know more about Watergate from the writings of the men convicted of the related crimes. Ask yourself if, with a family to feed and no money to be made from a book, the Watergaters would, in a timely fashion, have written an account of their crimes. A society that often looks upon greed as its most valuable natural resource ought to appreciate that certain books are not going to get written if certain authors are not going to get paid.

Whatever its intentions, the government is toying with a law that, for some, might amount to a gag order. It has a good reason. But the frenzy of the moment always supplies a good reason. The CIA's William Casey cites national security when he threatens legal action against certain writers and news organizations; the Pornography Commission, having concocted a "causal link" between smut and violence, encourages censorship at the point of sale. The road to even inadvertent censorship is paved with the best of intentions.

Some think that the Stevens bill could also apply to newspapers—that their assets could be seized if, by aggressive reporting, they ran afoul of Bill Casey and the CIA. If so, that's another reason for Congress to look again at its handiwork. The desire to ensure that traitors do not benefit from their treason is a worthy one. But the results will be horrible if, by ensuring that they are made poorer, knowledge is restricted. Then we will be poorer too.